

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application : GUDRUN A. RAPPOLD ET AL.
Serial No. : 10/511,708
Filed : October 15, 2004
For : HEIGHT-RELATED GENE
Examiner :
Attorney Docket : 102667-202
Group Art Unit :
Confirmation No. : 6677
Customer No. : 27267



* * * * *

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on

05 DEC. 2005

By

Todd E. Garabedian, Ph.D.

Registration No. 39,197

Attorney for Applicants

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO COMPLY WITH MISSING REQUIREMENTS

Dear Sir:

With respect to the Notification of Missing Requirements of Non-Provisional Application, mailed May 13, 2005, Applicants submit herewith two signed documents which together comprise a signed Combined Declaration and Power of Attorney for Joint Inventors relating to the above-identified non-provisional patent application.

In the Notification of Missing Requirements mailed with respect to the above-identified U.S. National Phase patent application on May 13, 2005, it was requested that a computer-readable form of the sequence listing be submitted. In reply, Applicants submit herewith a copy of the sequence listing in paper and computer-readable form (CRF).

Applicants state that with regard to the Sequence Listing, the information recorded in computer readable form is identical to the written sequence listing. Applicants submit no new matter is added herewith.

12/12/2005 HKAYPAGH 00000062 231665 10511708

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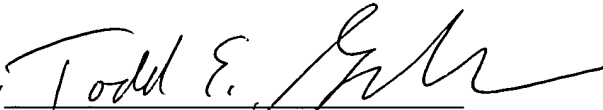
Please charge the surcharge of \$65.00 for filing the Declaration to Deposit Account No. 23-1665 as well as any other fees due with respect to this Response.

An additional copy of this Transmittal Letter is enclosed along with a copy of the Notification to File Missing Requirements.

If the Examiner believes a telephone conference would aid in the continued prosecution of this application, the Examiner is invited and encouraged to contact Applicants' representative at the telephone number listed below.

Respectfully submitted,

GUDRUN A. RAPPOLD ET AL.

By 

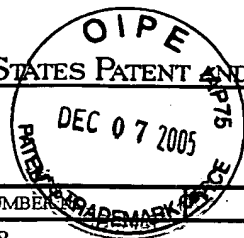
Todd E. Garabedian, Ph.D.
Registration No. 39,197
Attorney for Applicants

WIGGIN AND DANA LLP
One Century Tower
New Haven, CT 06508
Telephone: (203) 498-4400
Fax: (203) 782-2889

Date: 05 DEC 2005



UNITED STATES PATENT AND TRADEMARK OFFICE



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U.S. APPLICATION NUMBER	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/511,708	Gudrun A Rappold	102667-202

INTERNATIONAL APPLICATION NO.

PCT/EP03/04546

LA. FILING DATE

PRIORITY DATE

04/25/2003

04/26/2002

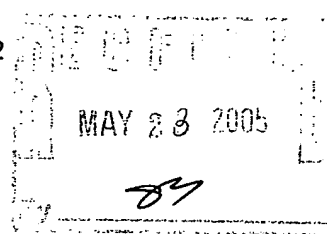
27267

WIGGIN AND DANA LLP

ATTENTION: PATENT DOCKETING

ONE CENTURY TOWER, P.O. BOX 1832

NEW HAVEN, CT 06508-1832



CONFIRMATION NO. 6677

371 FORMALITIES LETTER



OC000000016017353

Date Mailed: 05/13/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/15/2004
- Copy of the International Search Report filed on 10/15/2004
- Copy of IPE Report filed on 10/15/2004
- Preliminary Amendments filed on 10/15/2004
- Information Disclosure Statements filed on 10/15/2004
- Oath or Declaration filed on 10/15/2004
- Biochemical Sequence Listing filed on 10/15/2004
- U.S. Basic National Fees filed on 10/15/2004
- Priority Documents filed on 10/15/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130 Late oath or declaration Surcharge.**

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,708	PCT/EP03/04546	102667-202